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Question of the Falkland Islands (Malvinas)

Letter dated 17 March 2011 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith the Argentine Government's reply to the note from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations (A/65/753).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 45 concerning the question of the Malvinas Islands.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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Annex to the letter dated 17 March 2011 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

The Government of the Argentine Republic wishes to refer to the letter dated 18 February 2011 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General and circulated as document A/65/753.

While rejecting each and every one of the assertions contained in that letter, the Argentine Republic wishes to correct two mistakes made by the British Government in the very first paragraph. First, the letter from the Argentine Government circulated as document A/65/683 was sent in reply to a letter from the United Kingdom of Great Britain and Northern Ireland (A/65/617). Second, the annex to the aforementioned British letter contains a letter addressed to Mr. Donatus Keith St. Aimee in his capacity as "Chairman of the Special Committee on decolonization" and not as Chair of the Fourth Committee.

Furthermore, with regard to the statements by the British Government in its letter dated 18 February 2011 (A/65/753), the Government of Argentina considers it necessary to recall that the "Question of the Malvinas Islands" has been recognized by the General Assembly as a sovereignty dispute that should be settled through negotiation. This recognition is reflected in Assembly resolution 2065 (XX) and nine other resolutions of the Assembly, and more than 27 resolutions of the Special Committee on decolonization, the most recent of which was adopted on 24 June 2010. It bears mentioning that the recommendations contained in resolution 2065 (XX) and subsequent resolutions remain fully in force, precisely because the call by the United Nations to the two parties to this sovereignty dispute, that is to say Argentina and the United Kingdom, to resume negotiations without delay with a view to finding a peaceful solution has gone unheeded. The reason for this is that the United Kingdom continues to ignore the international community's appeal and refuses to negotiate in spite of the special responsibility that is incumbent on it as a permanent member of the Security Council.

It is inconceivable to think that the passage of time can alter the international mandate to resume negotiations between the two parties aimed at finding a peaceful settlement of the sovereignty dispute. The reason for this is that the dispute is ongoing and negotiation is one of the methods envisaged in the Charter for the settlement of disputes. To act otherwise is tantamount to non-compliance with the obligation that both parties have as Members of the United Nations to settle disputes between States by peaceful means.

The Argentine Republic wishes to reiterate that the principle of the self-determination of peoples, which is the sole ground on which the United Kingdom bases its alleged rights and which it invokes solely in connection with the Malvinas Islands, is totally and manifestly inappropriate and does not apply to the dispute concerning sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which is a dispute between Argentina and the United Kingdom. It is well to recall that the interests of the inhabitants — the criterion established in resolution 2065 (XX) — and their way of life are adequately safeguarded by the relevant General Assembly resolutions and the Constitution of the Argentine Republic, respectively.

The Argentine Republic does not share the United Kingdom's view, as set forth in its letter, which calls into question the efficacy and wisdom of the work of the Special Committee on decolonization. Rather, Argentina takes an opposite view, agreeing with the statement by the Secretary-General of the United Nations at the Committee's first meeting in 2011, when, after noting that the Third International Decade for the Eradication of Colonialism had begun, he emphasized the "crucial" role of the Special Committee on decolonization, which he described as the subsidiary body of the General Assembly "exclusively devoted to advancing the United Nations decolonization agenda".

The Argentine Republic wishes to reiterate its willingness to settle the sovereignty dispute with the United Kingdom in accordance with United Nations pronouncements, a dispute that is ongoing, as evidenced by, inter alia, the great number of notes exchanged between the two parties on the "Question of the Malvinas Islands".

The Argentine Republic reaffirms its rights of sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.